

HOUSE No. 4928

Section 374 contained in the engrossed Bill making appropriations for the fiscal year 2005 (see House, No. 4850), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment EE of House, No. 4901). June 28, 2004.

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The Commonwealth of Massachusetts

In the Year Two Thousand Four

**An Act require fire and building inspections for premises serving
or selling alcohol.**

***Whereas,* The deferred operation of this act would tend to defeat its purpose, which is to require fire and building inspections for certain buildings, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the board of fire prevention regulations, established in section 4 of chapter 22D in consultation with the Massachusetts fire training council, established in section 164 of chapter 6, the fire safety commission, established in section 200 of said chapter 6, the state board of building regulations and standards, established in section 94 of chapter 143, the state fire

marshal and the secretary of public safety or his designee, shall study the feasibility and likely efficacy of promulgating rules and regulations: (1) establishing a nightclub fire safety training program and training materials for employees of every building or structure, or a portion thereof, of public assembly with a capacity of 50 persons or more and designed or used for occupancy as a nightclub, dance hall, discotheque, bar or other similar purpose; (2) establishing and promoting education in the proper use and storage of all forms of fire extinguishers and other similar fire suppressant apparatus for the owners, lessees and mortgagees of all buildings certified under the state building code; (3) establishing, in conjunction with the executive office of economic affairs, methods for owners, lessees and mortgagees in possession or control of a building or structure, or a portion thereof, of public assembly with a capacity of 50 persons or more, designed or used for occupancy as a nightclub, dance hall, discotheque, bar or other similar purpose, to install automatic sprinklers at discounted rates including, but not limited to, no interest or low interest loans and insurance cost-containment measures; (4) establishing methods for the proper tracking and certification of pyrotechnic displays and for the use of fog, hazing or other fog-producing apparatus, in all places of public assembly; (5) improving luminescence of egress routes and the widening or upgrading of main exit doors in all places of public assembly; (6) establishing requirements that balanced design be employed in the future construction of large entertainment venues, such as theatres, convention centers and arenas; (7) prohibiting the use of non-flame retardant foam plastics and non-flame retardant acoustic materials in all places of public assembly; (8) establishing standards, based upon current technology and science, on the proper use of fire-resistant acoustic materials in all places of public assembly; and (9) establishing an

advisory council on fire safety building materials for the purpose of incorporating comprehensive flame-retardant material standards into the state building codes and to recommend to the state board of building regulations and standards flame-retardant material standards to be incorporated as emergency amendments into the state building code.

SECTION 2. this act shall take effect as of July 1, 2004.